

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Applications of)	MM Docket No. 99-153
)	
READING BROADCASTING, INC.)	File No. BRCT-940407KF
)	
For Renewal of License of Station)	
WTVE(TV), Channel 51,)	
Reading, Pennsylvania)	
)	
and)	
)	
ADAMS COMMUNICATIONS)	
CORPORATION)	File No. BPCT-940630KG
)	
For Construction Permit for a)	
New Television Station On)	
Channel 51, Reading, Pennsylvania)	

To: Administrative Law Judge Richard L. Sippel

VOLUME II OF EXHIBITS

EXHIBITS 35-44

June 12, 2000

VOLUME II

DOCKET FILE COPY ORIGINAL

- Exhibit 35** **DEPOSITION OF RONALD ROUSE**
OCTOBER 22, 1999, 10:00 A.M.
- Exhibit 36** **DEPOSITION OF RICHARD BENNETT**
OCTOBER 22, 1999, 10:37 A.M.
- Exhibit 37** **DEPOSITION OF DOUGLAS F. DIDYOUNG, SR.**
OCTOBER 22, 1999, 11:00 A.M.
- Exhibit 38** **DEPOSITION OF JOAN BREISCH**
OCTOBER 22, 1999, 1:55 P.M.
- Exhibit 39** **DEPOSITION OF DANIEL DILLARD**
OCTOBER 29, 1999, 12:30 P.M.
- Exhibit 40** **DEPOSITION OF MICHAEL O'PAKE**
OCTOBER 29, 1999, 2:05 P.M.
- Exhibit 41** **DEPOSITION OF FREDERICK C. WINDBECK,**
JR.
NOVEMBER 11, 1999, 2:10 P.M.
- Exhibit 42** **ANNUAL OWNERSHIP REPORT OF READING**
BROADCASTING, INC., FILED APRIL 4, 2000
- Exhibit 43** **DEPOSITION OF WAYNE J. FICKINGER**
OCTOBER 14, 2000, 10:20 A.M.
- Exhibit 44** **DEPOSITION OF ROBERT L. HAAG**
NOVEMBER 12, 1999, 8:35 A.M.

Exhibit 35 DEPOSITION OF RONALD ROUSE
OCTOBER 22, 1999, 10:00 A.M.

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re: Applications of : MM Docket No. 99-153
READING BROADCASTING, INC. :
For Renewal of License of : File No. BPCT-940407KF
Station WTVE (TV), Channel :
51, Reading, Pennsylvania :
and : File No. BPCT-940630KG
ADAMS COMMUNICATIONS :
CORPORATION :
For Construction Permit for :
a New Television Station :
to Operate on Channel 51, :
Reading, Pennsylvania :

DEPONENT: RONALD ROUSE

DATE AND TIME: Friday, October 22, 1999
at 10:00 a.m.

LOCATION: Comfort Inn
2200 Stacy Drive
Reading, Pennsylvania

Berks Court Reporting Service
By: Lori A. Dilks, RPR
12 Pacific Avenue
Sinking Spring, Pennsylvania
(610) 678-9984

COPY

APPEARANCES:

HOLLAND & KNIGHT, LLP
By: Thomas J. Hutton, Esquire
2100 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 10037-5564

Representing Reading Broadcasting, Inc.

BECHTEL & COLE, CHARTERED
By: Gene A. Bechtel, Esquire
1901 L Street, N.W., Suite 250
Washington, D.C. 10036

Representing Adams Communications

I N D E X

<u>WITNESS</u>	<u>EXAMINED BY</u>	<u>PAGE</u>
Ronald Rouse	Mr. Bechtel	3
	Mr. Hutton	7

<u>EXHIBITS</u>		
<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
Rouse 1	Notice of Deposition	3
Rouse 2	Subpoena	3
Rouse 3	Issues and Program Report, Second Quarter 1994	8

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P R O C E E D I N G S

RONALD ROUSE,

was called as a witness and, having been first duly sworn by the Reporter-Notary Public, was examined and testified as follows:

BY MR. BECHTEL:

Q. For the record, sir, would you state your name and residence address, please.

A. Yes. My name is Ronald Rouse, R-O-U-S-E, and my residence is -- well, my business is 1244 Douglas Street. My business is out of my residence.

Q. My name is Gene Bechtel. I'm counsel for Adams Communications Corporation. Mr. Hutton is counsel for Reading Broadcasting Company.

If any of my questions are unclear, please tell me that they're unclear. If Mr. Hutton interjects when I ask a question, wait until we finish our business. If you need a break at any time, just say so. However, our experience has been that these things don't take too long.

A. Okay. They told me an hour so I'm giving you an hour.

(Whereupon, the Reporter marked the following exhibits for identification: Rouse 1, Notice of Deposition; Rouse 2, Subpoena.)

1 BY MR. BECHTEL:

2 Q. Now, is Exhibit 1 a copy of the Deposition
3 Notice that you received?

4 A. Yes.

5 Q. And is Exhibit 2 a copy of the Subpoena
6 that you received?

7 A. Yes.

8 Q. Exhibit 2 calls for you to produce certain
9 documents if you have any such documents in your
10 possession. Do you have any such documents in your
11 possession?

12 A. I did not bring any documents with me. I
13 would not know what documents that would have been
14 except for any notes or things when I produced my
15 segments of Minority Voices, I presume. Is that what --
16 yeah.

17 Q. Okay. How long have you lived in the
18 Reading area?

19 A. 15 years.

20 Q. And the time frame that we're going to work
21 with in this series of questions is from 1989 to 1994, a
22 five year period; technically, August 1 of '89 to August
23 1 of '94, but it's kind of hard maybe to cut it that
24 fine. This, if it helps you in terms of placing the
25 time, is a period when station WTVE was affiliated with

1 1 the Home Shopping Network. Okay?

2 A. Yes.

3 Q. During that period of time did you have a
4 TV set at home?

5 A. Yes.

6 Q. Did you have a TV set at work?

7 A. Yes.

8 Q. Describe, if you will, generally how much
9 time you would devote to television watching and the
10 kinds of things that would interest you to look at the
11 TV set?

12 A. I might have devoted two or three hours a
13 day to television watching, which would probably be news
14 broadcasts, major events, perhaps some sporting events.

15 Q. When you wanted to look at news events,
16 what stations would you look at?

17 A. I would look at CNN -- well, I would watch
18 all the morning shows. Of course, I watched the Bryant
19 Gumbal morning show. I thought that was the most
20 interesting morning talk show. And, of course, after
21 him would be Regis and perhaps CNN.

22 Now, in my office I have a TV so while I'm
23 working the TV's on. I can hear what's going on. But
24 in terms of sitting and visually monitoring the TV --
25 that's why I said two or three hours -- but those would

1 be the talk shows. I do know TVE, the religious
2 segments on 51, before I was affiliated with 51, we
3 would watch some of the religious programming.

4 Q. Which ones interested you?

5 A. Religious programming? I'm trying to
6 remember the names of some of these evangelists.
7 Probably Joyce Myers. I forget the gentleman -- he's a
8 worldwide evangelist. I'm at a loss for his name. He
9 sort of has gray/black hair. I'm at a loss for his
10 name. Religious programming.

11 Q. If I had names to help you, I would.

12 A. I apologize. I'm at a loss for his --
13 probably because the last -- probably the last month or
14 so I haven't had an opportunity -- we moved the TV out
15 of my office. And so -- usually when I'm in the office
16 I'm turning to 51 between certain times they've got
17 religious programming.

18 Q. But just keep in mind we're talking about
19 1989 to 1994.

20 A. Yeah, I understand. It's very vague for me
21 to go back because we were such a busy -- we started the
22 publication in '89, and we were so horrendously busy
23 during those early parts of the publication.

24 Q. Well, we've asked you here to share with us
25 your knowledge of certain programming on the station

1 during the five-year period we're talking about, which
2 apparently coincides with when you commenced your
3 publication, and I think it would be quicker for us to
4 now turn it over to Mr. Hutton, who I believe has some
5 exhibit material that will focus our discussion on -- he
6 has specific information. And so with that, Mr. Hutton,
7 if you would like to continue the examination, please
8 feel free to do so.

9 MR. HUTTON: That's fine.

10 BY MR. HUTTON:

11 Q. Before I get into the exhibit let me just
12 ask you, in that five-year time period, apart from the
13 religious programming and -- well, as a background, let
14 me tell you that the station was an affiliate of the
15 Home Shopping Network in that time period.

16 A. Yes.

17 Q. Apart from the religious programming you
18 described, were you aware of other types of programming
19 aired on Channel 51 at that time?

20 A. Oh, yes. I was aware of some public
21 service segments of talk and the Home Shopping. My wife
22 used to order a lot from Home Shopping Network, and my
23 wife, I know, would always watch the Home Shopping
24 Network. And I remember some days I might have woken up
25 during the middle of the night and was working and the

1 Home Shopping Network would be on, and I might have seen
2 a gift item that I ordered for my wife on the Home
3 Shopping Network. So we've ordered -- we spent a lot of
4 money on the Home Shopping Network.

5 Q. Putting aside the Home Shopping
6 programming, what types of programming were you
7 referring to when you said public service programming?

8 A. I'm trying to remember. I just remember
9 some talk -- some talk segments on TV 51 where I would
10 see some community members that I recognized during, I
11 guess, breaks in the Home Shopping Network, their
12 programming. There would be a pause. I guess local was
13 on -- I remember some talk, some talk. When I say talk,
14 meaning there would be interviews of individuals.

15 Then, of course, I remember the Calendar of
16 Events that WTVF would run, and I remember the weather.
17 But then, of course, you know, there were times when I
18 wouldn't watch the Home Shopping Network because I was
19 busy.

20 Q. Okay. That's very helpful.

21 MR. HUTTON: I would like to have this
22 marked as Rouse Exhibit 3.

23 (Whereupon, the Reporter marked Rouse 3 for
24 identification, Issues and Programs Report, Second
25 Quarter 1994.)

2
3
1 BY MR. HUTTON:

2 Q. You have not seen this document before.
3 This consists of excerpts of WTVE's quarterly issues and
4 programs lists from the second quarter of 1994 to the
5 third quarter of 1994. I would like you to review that
6 document and tell me if -- first, if the article
7 appearing on the second page of that document
8 corresponds with your recollection of the program you
9 participated in for WTVE.

10 A. Yes, it does.

11 Q. And how did that program come about?

12 A. Certainly in the photo to the left is a
13 former WBA Heavyweight Champ, two-time world champ,
14 Steve Little, and I believe Steve had just completed
15 Reading Rumbles, which was a nationally televised boxing
16 match. And I secured an interview with Steve Little on
17 my segment on Minority Voices, and I invited Steve to
18 the station for an interview on my show, Minority
19 Voices.

20 Q. And Minority Voices was -- what type of
21 program was that?

22 A. Minority Voices was an offshoot from my
23 newspaper publication, the Minority Voice newspaper,
24 Voice of Minorities, a positive, good news formatted
25 program covering -- speaking to celebrities, common

1 folk, individuals in the community who were doing good
2 deeds, good things in the community.

3 Q. And how was that program distributed?

4 A. The program itself on the air?

5 Q. Yes.

6 A. Well, it's my understanding that the
7 program was distributed to homes, I guess, through
8 electronic media.

9 Q. I'm sorry. My question was too vague. Was
10 it distributed on any other broadcast stations other
11 than WTVE?

12 A. No. It's my understanding that WTVE was
13 the only program running Minority Voices. Now, in North
14 Carolina we also had -- because I have a sister
15 newspaper in North Carolina so, as well, we were doing
16 Minority Voices in North Carolina but my segment of
17 Minority Voices were only run -- in other words, I
18 didn't take any tapes, dupe tapes to North Carolina to
19 run. No. So all my shows up here were only run on WTVE
20 and wherever they -- you know, their range went.

21 Q. And I take it from the article that the
22 program was also aired on various cable systems. Is
23 that correct?

24 A. Oh, yes, yes. I understand what you mean.
25 Yeah. At the time Berks Cable and other local

1 affiliates, yes, that were involved with Berks Cable,
2 right, ran because WTVE was on Berks Cable, Channel 24,
3 and as well on, I think, Lebanon or some other -- yes.
4 I'm sorry. I misunderstood your question. You're
5 definitely correct.

6 It was run on other -- yeah, we do have it
7 listed here. It was -- yeah, Lebanon, 21, Lebanon
8 Valley Time Warner. Yes. In Reading, Twin County on
9 Channel 20; and Northhampton, Time Warner, on Channel
10 21; and the Lebanon Valley North, Time Warner, on
11 Channel 11; and Lebanon Valley East, Service Electric,
12 on Channel 59 in Hunterdon, New Jersey; Suburban Channel
13 51 in King of Prussia, Norristown.

14 Q. Okay. And --

15 A. I wrote this.

16 Q. Did you?

17 A. Yeah. This was my cut line that I wrote.
18 This is a cut line from a photograph. Usually from my
19 segments of Minority Voices and the celebrities and the
20 guests that came on the segments of Minority Voices I
21 would have a photograph taken for either archival
22 purposes and/or to run in my publication simultaneously
23 to let the outreach community that are my readers of my
24 publication know about Minority Voices and who a guest
25 was or upcoming guest would be in my publication.

3 1 Q. And how long did the program run? Was it a
2 2 30-minute program or less?

3 3 A. In the beginning we were a 8-minute
4 4 program. And then I believe there were some agreement
5 5 changes with Home Shopping Network; then we went to
6 6 4-minute segments. And then I guess there was some
7 7 additional changes, then we went to 30-minute segments.

8 8 Q. And do you recall during the -- I take it
9 9 that this program began in 1994. Is that correct?

10 10 A. If that's -- my recollection -- I don't
11 11 recall the exact start-up of Minority Voices, but I know
12 12 we did Minority Voices for three and a half years.

13 13 Q. And during this 1994 time frame would the
14 14 program have been an 8-minute program?

15 15 A. I believe. Yes. My recollection is, yes.

16 16 Q. Turning now to the Issues and Programs
17 17 Report for the third quarter of 1994. There is a
18 18 narrative appearing on the page marked 13. It's in
19 19 Paragraph 49. I'd like you to review that and tell me
20 20 whether that is consistent or inconsistent with your
21 21 recollection of the events described there.

22 22 A. (Witness reviewed document.)

23 23 Yes. That's correct.

24 24 Q. Apart from programming that the station
25 25 aired during 1989 to 1994, are you aware of any other

1 public service activities or community involvement by
2 the station or its personnel during that five-year time
3 period?

4 A. That's a good point. My recollection of
5 the station -- of course, I used to drive by there all
6 the time. Yeah, the knowledge that I had, of course,
7 was -- before I was affiliated with WTVE -- was what I
8 would see during the break time during the Home Shopping
9 Network.

10 I would see people that I recognized being
11 interviewed. In terms of community involvement, I would
12 remember seeing them at press events because I covered
13 press events, and I would see WTVE -- I would see Dan
14 Bendetti at press events. I do remember seeing them
15 running around in the community.

16 I didn't particularly focus on WTVE, but I
17 knew of the Home Shopping Network, and I used to see
18 people that I knew on the programming being interviewed
19 and, of course, covering press events.

20 MR. HUTTON: I have no further questions.

21 MR. BECHTEL: For the record, I will have
22 to move to strike anything in this exhibit that was
23 after our time period.

24 MR. HUTTON: I understand.

25 MR. BECHTEL: Thank you for coming, sir.

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THE WITNESS: You're welcome.

(Whereupon, the deposition concluded at
10:20 o'clock a.m.)

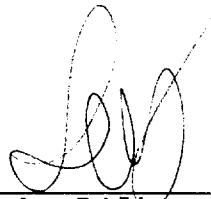
1 I have read my deposition and it is true and
2 correct except for any corrections listed on the
3 attached Errata Sheet, which I have also signed.
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7 DATE: _____
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13 _____
14 RONALD ROUSE
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CERTIFICATE

I, Lori A. Dilks, the officer before whom the deposition of RONALD ROUSE was taken, do hereby certify that RONALD ROUSE, the witness whose testimony appears in the foregoing deposition, was duly sworn by me on October 22, 1999, and that the transcribed deposition of said witness is a true record of the testimony given by him; that the proceedings are herein recorded fully and accurately to the best of my ability; that I am neither attorney nor counsel for, nor related to any of the parties to the action in which this deposition was taken; and, further, that I am not a relative of any attorney or counsel employed by the parties hereto or financially interested in this action.



Lori A. Dilks, RPR

Notary Public in and for
the Commonwealth of Pennsylvania

BERKS COURT REPORTING SERVICE

RECHTEL & COLE
FILE COPY

RECEIVED

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

SEP 28 1999

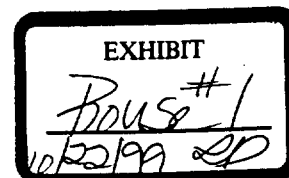
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of) MM Docket No. 99-153
)
READING BROADCASTING, INC.) File No. BRCT-940407KF
)
For Renewal of License of)
Station WTVE(TV), Channel 51)
Reading, Pennsylvania)
)
and)
)
ADAMS COMMUNICATIONS CORPORATION) File No. BPCT-940630KG
)
For Construction Permit for a New)
Television Station to Operate on)
Channel 51, Reading, Pennsylvania)

To: Magalie Roman Salas, Secretary
for direction to
The Honorable Richard L. Sippel
Administrative Law Judge

NOTICE BY ADAMS OF DEPOSITION
UPON ORAL EXAMINATION

Adams Communications Corporation ("Adams") gives notice of its intent to take the deposition of Ron Rouse, The "M" Voice, 459 Birch Street, Reading, PA 19601, upon oral examination on Friday, October 22, 1999, commencing at 10 a.m. at the Comfort Inn, 2200 Stacy Drive, Reading, PA. We anticipate the deposition will be concluded within one hour. This is one of several depositions being taken during the period Wednesday, October 20, 1999, through Saturday, October 23, 1999. If the date and time cannot be accommodated, please contact Simone Parrish at 202-833-4190 collect, who will make an effort to revise the schedule to accommodate you. The subject of the deposition is your knowledge of programming and operations of station WTVE, channel 51, during the period August 1, 1989 through July 31, 1994. The deposition



will be taken before a court reporter.

Respectfully submitted,

Gene A. Bechtel / HFC

Gene A. Bechtel
Harry F. Cole

Bechtel & Cole, Chartered
Suite 250, 1901 L Street, N.W.
Washington, D.C. 20036
Telephone 202-833-4190
Telecopier 202-833-3084

Counsel for Adams Communications
Corporation

September 28, 1999

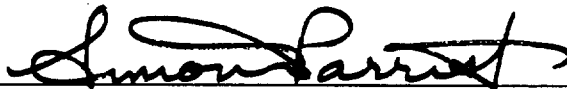
CERTIFICATE OF SERVICE

I certify that I have this 28th day of September 1999 caused copies of the foregoing NOTICE BY ADAMS OF DEPOSITION UPON ORAL EXAMINATION to be hand delivered to the offices of the following:

The Hon. Richard L. Sippel
Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

James Shook, Esq.
Mass Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Thomas J. Hutton, Esq.
Holland & Knight, L.L.P.
Suite 200, 2000 K Street, N.W.
Washington, D.C. 20006
Counsel for Reading Broadcasting, Inc.

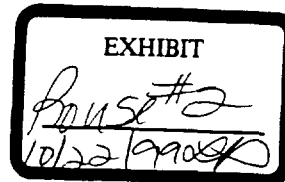
A handwritten signature in black ink, appearing to read "Simone Parrish", is written over a horizontal line.

Simone Parrish
Legal Assistant

SUBPOENA

ORIGINAL - To be executed by the person who effects service and returned to the Secretary of the Commission.

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION



IN THE MATTER OF
READING BROADCASTING, INC.
For Renewal of License for
Station WTVE(TV), Channel 51,
Reading, Pennsylvania

MM Docket No. 99-153

THE PRESIDENT OF THE UNITED STATES OF AMERICA

To Ron Rouse, The "M" Voice, 459 Birch Street, Reading, PA 19601 GREETINGS:

YOU ARE HEREBY ORDERED under penalty of law to appear before the Federal Communications Commission or
any duly authorized notary public at the Comfort Inn, 2200 Stacy Drive
(Name and official title of person authorized to take depositions)

in the city of Reading, PA on the 22nd day of October, 19 99,

at 10 o'clock A.M., of that day, to testify in the above-captioned matter and to bring with you and to
produce then and there the following books, papers, and documents: See attached

READING EXHIBIT 35
PAGE 20

BY ORDER OF THE FEDERAL COMMUNICATIONS COMMISSION, this twenty-eighth
September, 19 99.

Richard L. Hyslop
(Official Title)
Administrative Law Judge

NOTICE: - Witness fees and mileage for attendance under this subpoena for service hereof are to be paid by the party at whose instance the witness is subpoenaed, and every copy of this summons for the witness must contain a copy of this notice.

Service of subpoenas may be made by any citizen of the United States over the age of 18 years who is competent to be a witness, and is not a party to or in any way interested in the proceeding.

PROOF OF SERVICE ON REVERSE SIDE.

FCC Form 766
October 1985

Attachment 1:

DOCUMENTS TO BE PRODUCED

All documents of any kind or description relating to the deponent's knowledge of or familiarity with the operations, including the programming, of Station WTVE(TV), Reading, Pennsylvania, during the period August 1, 1989 through July 31, 1994.